## TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

April 3, 2001 LB 489

SENATOR BRASHEAR: Thank you.

SENATOR CUDABACK: Thank you, Senator Engel. On with discussion, Senator Schimek.

SENATOR SCHIMEK: Yes, thank you, Mr. President, members. Senator Brashear, that conversation then leads to the next question, and that is, how does it impact the state then that does have a statute of repose that is somewhat lengthier than ours?

SENATOR CUDABACK: Senator Brashear.

SENATOR BRASHEAR: Yes, Mr. President. And by the luck of the draw, we've provided for that also. If they have a shorter statute of repose than we do, then we move it to ten years. It's now ten years as it relates to their products sold in Nebraska for the purposes of our citizen litigants.

SENATOR SCHIMEK: Okay, but what if theirs is, for instance, well, I guess...I guess I know the answer to this, if they have a twenty-year statute of repose, then we...this, the consumer in Nebraska still has twenty years in their courts, right?

SENATOR BRASHEAR: That's right. If they can...if they can go there, get jurisdiction and do all the other legal things involved.

SENATOR SCHIMEK: Is that likely?

SENATOR BRASHEAR: No, why would we...I mean, no, not with this bill because now our litigants are going to want to stay here in their own court system and pursue their remedy.

SENATOR SCHIMEK: But only up to, like, the statute of limitations, right?

SENATOR BRASHEAR: Yes.

SENATOR SCHIMEK: I'm...I'm not sure. If it says...if it's